

FORM PTO-1390  
(REV 10-2000)

DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

17,427-US

TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

097701478

INTERNATIONAL APPLICATION NO.

PCT/US99/12,110

INTERNATIONAL FILING DATE

June 1, 1999

PRIORITY DATE CLAIMED

June 1, 1998

TITLE OF INVENTION

TAMPER RESISTANT CLOSURE

APPLICANT(S) FOR DO/EO/US Luther B. Stoddard and Jerry Dale Pack

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to promptly begin national examination procedures (35 U.S.C. 371(f)).
4. ☒ The US has been elected by the expiration of 19 months from the priority date (PCT Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - a. ☒ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been communicated by the International Bureau.
  - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☒ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 16 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A **FIRST** preliminary amendment.  
☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
14. ☐ A substitute specification.
15. ☐ A change of power of attorney and/or address letter.
16. ☒ Other items or information: Claim 1 was amended under PCT Article 34, Dec. 29, 1999. Claims 12-19 are new claims, presented in the Preliminary Amendment filed herewith.

|  |              |                               |            |  |    |
|--|--------------|-------------------------------|------------|--|----|
| U.S. APPLICATION NO. (if known, see 37 CFR 1.5)  |              | INTERNATIONAL APPLICATION NO. |            | ATTORNEY'S DOCKET NUMBER   |    |
| 09/701   |              |                               |            |  |    |
| 17. <input checked="" type="checkbox"/> The following fees are submitted:<br><b>BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)) :</b><br>Neither international preliminary examination fee (37 CFR 1.482)<br>nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO<br>and International Search Report not prepared by the EPO or JPO ..... \$1000.00<br>International preliminary examination fee (37 CFR 1.482) not paid to<br>USPTO but International Search Report prepared by the EPO or JPO ..... \$860.00<br>International preliminary examination fee (37 CFR 1.482) not paid to USPTO but<br>international search fee (37 CFR 1.445(a)(2)) paid to USPTO ..... \$710.00<br>International preliminary examination fee paid to USPTO (37 CFR 1.482)<br>but all claims did not satisfy provisions of PCT Article 33(1)-(4) ..... \$690.00<br>International preliminary examination fee paid to USPTO (37 CFR 1.482)<br>and all claims satisfied provisions of PCT Article 33(1)-(4) ..... \$100.00<br><b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b> |              |                               |            | \$690.00   |    |
| Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30<br>months from the earliest claimed priority date (37 CFR 1.492(e)).   |              |                               |            | \$160.00   |    |
| CLAIMS   | NUMBER FILED | NUMBER EXTRA                  | RATE       |  |    |
| Total claims   | - 20 =       |                               | X \$18.00  | \$   |    |
| Independent claims   | - 3 =        |                               | X \$80.00  | \$   |    |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable)  |              |                               | + \$270.00 | \$   |    |
| <b>TOTAL OF ABOVE CALCULATIONS =</b>   |              |                               |            | \$850.00   |    |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above<br>are reduced by 1/2.  |              |                               |            | \$425.00   |    |
| <b>SUBTOTAL =</b>  |              |                               |            | \$425.00   |    |
| Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30<br>months from the earliest claimed priority date (37 CFR 1.492(f)).  |              |                               |            | \$   |    |
| <b>TOTAL NATIONAL FEE =</b>  |              |                               |            | \$425.00   |    |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be<br>accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property  |              |                               |            | \$   |    |
| <b>TOTAL FEES ENCLOSED =</b>   |              |                               |            | \$425.00   |    |
|  |              |                               |            | Amount to be<br>refunded:  | \$ |
|  |              |                               |            | charged:   | \$ |
| a. <input checked="" type="checkbox"/> A check in the amount of \$ <u>425.00</u> to cover the above fees is enclosed.<br><br>b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees.<br>A duplicate copy of this sheet is enclosed.<br><br>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any<br>overpayment to Deposit Account No. <u>03-3840</u> . A duplicate copy of this sheet is enclosed.  |              |                               |            |  |    |
| <b>NOTE:</b> Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR<br>1.137(a) or (b)) must be filed and granted to restore the application to pending status.  |              |                               |            |  |    |
| SEND ALL CORRESPONDENCE TO:<br><br>Gerald G. Crutsinger<br>Crutsinger & Booth<br>1601 Elm St., Ste. 1950<br>Dallas, TX 75201-4744  |              |                               |            |  |    |
|  |              |                               |            | SIGNATURE: <i>Gerald G. Crutsinger</i><br>_____<br>NAME: Gerald G. Crutsinger<br>_____<br>REGISTRATION NUMBER: 25,110<br>_____ |    |